

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Writ Petition No. 467 of 2007 (M/B)

Arun Shukla @ Kinno Shukla,
S/o Sri Bhagwan Shukla, r/o Village Ramnagar,
Post Office Bagwara, Tehsil – Kichha,
District Udham Singh Nagar Petitioner.

Versus

1. State of Uttarakhand through S.S.P.
Udham Singh Nagar.
 2. Superintendent of Police,
C.B. C.I.D. Branch, Haldwani, District Nainital.
 3. Guljar Singh Cheema
s/o Late Jagir Singh Cheema,
R/o Ramnagar, Post Office Bagwara,
Tehsil Kichha, District Udham Singh Nagar Respondents
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Sri Vipul Sharma, Advocate for the petitioner.
Sri G.S. Sandhu, Government Advocate for respondents 1 & 2.

JUDGMENT

**Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S. Rawat, J.**

RAJEEV GUPTA, C. J. (Oral)

Sri Vipul Sharma, Advocate for the petitioner.

Sri G.S.Sandhu, Government Advocate for respondents 1 and 2.

They are heard on admission.

2. Petitioner Arun Shukla alias Kinno Shukla has filed this writ petition for the following reliefs:

“A. Issue a writ, order of direction in the nature of certiorari to quash the First Information Report dated 20.07.2002, in Case Crime No. 869 of 2002 U/Ss 307, 506 IPC P.S. Rudrapur, District Udham Singh Nagar.

B. Issue a writ, order or direction in the nature of mandamus directing to respondent no. 1 and 2 not to arrest the petitioner in pursuance of the First Information Report dated 20.7.2002 in Case Crime No. 869 of 2002 U/Ss 307, 506 IPC P.S. Rudrapur, District Udham Singh Nagar.

C. Issue any suitable writ, order, or direction which this Hon'ble Court may deem fit and proper in the circumstances of the present case.

D. Award the cost of the writ petition to the petitioner.”

3. The petitioner is apprehending his arrest for his alleged involvement in Crime No. 869 of 2002 registered at Police Station Rudrapur, District Udham Singh Nagar for the alleged commission of the offences punishable U/Ss 307 and 506 I.P.C. The petitioner and his co-accused persons are alleged to have attempted at the life of complainant –Guljar Singh Cheema by firing at him repeatedly from their fire-arms in the morning of 20th July, 2002 resulting in multiple gun shot injuries on his person.

4. On due consideration of the submissions of the learned counsel for the parties and the serious nature of the allegation against the petitioner in the First Information Report, we are of the opinion that it is not a fit case for grant of the reliefs sought by the petitioner in the writ petition.

5. The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily.

(J.C.S.Rawat, J.) (Rajeev Gupta, C. J.)

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